

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Juha-Pekka LUOMA <i>et al.</i>	Confirmation No.: 5013
Application No.: 10/539,852	Examiner: Rahman, Mohammad N.
Filed: June 22, 2006	Group Art Unit: 2161

For: METHOD OF ANNOUNCING SESSIONS

Commissioner for Patents  
Alexandria, VA 22313-1450

**APPEAL BRIEF**

Dear Sir:

This Appeal Brief is submitted in support of the Notice of Appeal dated October 22, 2010.

**I. REAL PARTY IN INTEREST**

The real party in interest is Nokia Corporation.

**II. RELATED APPEALS AND INTERFERENCES**

Appellants are unaware of any related appeals and interferences.

**III. STATUS OF THE CLAIMS**

Claims 1, 2, 5, 7, 9, 10, 13, 15, 17, 18, 21-23, 25-29, 31, 34, 43-45, 53-55, 58-61, and 75-79 are pending in this appeal. Claims 3, 4, 6, 8, 11, 12, 14, 16, 19, 20, 24, 30, 32, 33, 35-42, 46-52, 56, 57, and 62-74 have earlier been canceled. Claim 45 is an original claim; claims 1, 2, 5, 7,

9, 10, 13, 15, 17, 18, 21-23, 25-29, 31, 34, 43, 44, 53-55, 58-61, and 75-79 were previously presented.

Claims 1, 2, 5, 7, 9, 10, 13, 15, 17, 18, 21-23, 25-29, 31, 34, 43-45, 53-55, 58-61, and 75-79 were finally rejected in an Office Action dated July 22, 2010. It is from the final rejection of claims 1, 2, 5, 7, 9, 10, 13, 15, 17, 18, 21-23, 25-29, 31, 34, 43-45, 53-55, 58-61, and 75-79 that this Appeal is taken.

#### **IV. STATUS OF AMENDMENTS**

No Amendment has been filed subsequent to the issuance of the final Office Action dated July 22, 2010.

#### **V. SUMMARY OF THE CLAIMED SUBJECT MATTER**

The claimed invention addresses problems associated with announcements of multimedia sessions through a network. Embodiments are directed to providing a first set of announcements of electronic service guide data describing a plurality of multimedia sessions to be transmitted through a network, and providing a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement, and causing, at least in part, transmission of said first and second set of announcements.

Independent claim 1 reads as follows:

1. A method comprising:

providing a first set of announcements of electronic service guide data describing a plurality of multimedia sessions to be transmitted through a network (See, e.g., Specification, Page 2 Lines 9-17, and Lines 23-33, Page 3 Lines 2-5, Page 14 Lines 4-12, element 10, FIG. 1);

providing a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement (See, e.g., Specification, Page 2 Lines 9-17, and Lines 23-33, Page 3 Lines 2-5, Page 14 Lines 4-12, element 10, FIG. 1);

causing, at least in part, transmission of said first and second set of announcements (See, e.g., Specification, Page 4 Lines 20-30, Page 5 Line 21-Page 6 Line 7, Page 14 Lines 28-31, element 13, FIG. 1).

Independent claim 43 reads as follows:

43. A method comprising:

causing, at least in part, selective reception of a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-7, Page 8 Lines 15-19, Page 37 Lines 16-23, element 55, FIG. 24);

causing, at least in part, selective reception of a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of

announcement (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-7, Page 8 Lines 15-25, Page 37 Lines 16-23, element 55, FIG. 24); and  
accessing at least one of the plurality of received multimedia sessions (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-15, Page 8 Lines 15-19, Page 38 Lines 3-9, element 63, FIG. 25).

Independent claim 53 reads as follows:

53. A method comprising:

listening to a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network (See, e.g., Specification, Page 7 Lines 9-15, Page 20 Lines 5-8, Page 25 Lines 5-11, element 5, FIG. 1);  
determining whether said first set of announcements have been received (See, e.g., Specification, Page 7 Lines 9-15, Page 25 Lines 5-11, element 5, FIG. 1);  
if said first set of announcements have been received, then  
stopping listening to said first set of announcements (See, e.g., Specification, Page 7 Lines 9-15, Page 25 Lines 5-11, element 5, FIGs. 1, 15),  
listening to a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement (See, e.g., Specification, paragraphs Page 7 Lines 9-15, Page 7 Lines 21-25, Page 7 Line 30 - Page 8 Line 2, Page 20 Lines 5-8, Page 25 Lines 5-11, element 5, FIGs. 1, 8, 9, 15),

accessing at least one of the plurality of listened multimedia sessions (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-15, Page 8 Lines 15-19, Page 38 Lines 3-9, element 63, FIG. 25).

Independent claim 55 reads as follows:

55. An apparatus comprising:

at least one processor (See, e.g., Specification, Page 6 Lines 9-12, Page 25 Lines 5-11, element 10, FIG. 1), and

at least one memory including computer program code (See, e.g., Specification, Page 8 Lines 4-13, Page 37 Lines 25-33, element 10, in FIG. 1),

the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following,

provide a first set of announcements of electronic service guide data describing a plurality of multimedia sessions to be transmitted through a network (See, e.g., Specification, Page 2 Lines 9-17, and Lines 23-33, Page 3 Lines 2-5, Page 14 Lines 4-12, elements 2 and 10, FIG. 1);

provide a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement (See, e.g., Specification, Page 2 Lines 9-17, and Lines 23-33, Page 3 Lines 2-5, Page 14 Lines 4-12, elements 2 and 10, FIG. 1); and

transmit said first and second set of announcements (See, e.g., Specification, Page 4 Lines 20-30 Page 5 Line 21-Page 6 Line 7, Page 14 Lines 28-31, elements 2 and 13, FIG. 1).

Independent claim 58 reads as follows:

58. An apparatus comprising:

at least one processor (See, e.g., Specification, Page 36 Lines 20-24, Page 37 Lines 25-33, element 53, FIG. 24); and

at least one memory including computer program code (See, e.g., Specification, Page 36 Lines 20-24, Page 37 Lines 25-33, element 55, FIG. 24),

the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following,

selectively receive a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-7, Page 8 Lines 15-19, Page 37 Lines 16-23, element 55, FIG. 24);

selectively receive a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-7, Page 8 Lines 15-25, Page 37 Lines 16-23, element 55, FIG. 24); and

access at least one of the plurality of received multimedia sessions (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-15, Page 8 Lines 15-19, Page 38 Lines 3-9, element 63, FIG. 25).

Independent claim 78 reads as follows:

78. A non-transitory computer-readable storage medium storing one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps:

providing a first set of announcements of electronic service guide data describing a plurality of multimedia sessions to be transmitted through a network (See, e.g., Specification, Page 2 Lines 9-17, and Lines 23-33, Page 3 Lines 2-5, Page 14 Lines 4-12, elements 2 and 10, FIG. 1);

providing a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement (See, e.g., Specification, Page 2 Lines 9-17, and Lines 23-33, Page 3 Lines 2-5, Page 14 Lines 4-12, element 10, FIG. 1); and

transmitting said first and second set of announcements (See, e.g., Specification, Page 4 Lines 20-30, Page 5 Line 21-Page 6 Line 7, Page 14 Lines 28-31, element 13, FIG 1).

Independent claim 79 reads as follows:

79. A non-transitory computer-readable storage medium storing one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps:

selectively receiving a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-7, Page 8 Lines 15-19, Page 37 Lines 16-23, element 55, FIG. 24);

selectively receiving a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-7, Page 8 Lines 15-25, Page 37 Lines 16-23, element 55, FIG. 24); and

accessing at least one of the plurality of received multimedia sessions (See, e.g., Specification, Page 6 Lines 14-18, Page 7 Lines 2-15, Page 8 Lines 15-19, Page 38 Lines 3-9, element 63, FIG. 25).

#### **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

(A). Claims 1, 2, 13, 18, 21, 76, and 77 were rejected under 35 U.S.C § 102(b) for lack of novelty as evidenced by *Schneidewend et al.* (US 6182287).

(B). Claims 7, 9, 10, 15, 22, 23, and 25-29 were rejected under 35 U.S.C. § 103(a) for obviousness predicated upon *Schneidewend et al.* in view of *Rizzo et al.* (US 20030147390).

(C). Claim 17 was rejected under 35 U.S.C. § 103(a) for obviousness predicated upon *Schneidewend et al.* in view of *Rizzo et al.*, and *Dougall et al.* (US 20030093485).

(D). Claims 31, and 75 were rejected under 35 U.S.C. § 103(a) for obviousness predicated upon *Schneidewend et al.* in view of *Mugura* (US 6518986).

(E). Claims 34, 60, and 61 were rejected under 35 U.S.C. § 103(a) for obviousness predicated upon *Schneidewend et al.* in view of *Bell et al.* (US 7181526).

(F). Claims 43-45, 53-55, 58, 59, 78, and 79 were rejected under 35 U.S.C. § 103(a) for obviousness predicated upon *Schneidewend et al.* in view of *Rizzo et al.* (US 7181526).

## VII. ARGUMENT

**A. CLAIMS 1, 2, 13, 18, 21, 76, AND 77 ARE NOT ANTICIPATED BY *SCHNEIDEWEND ET AL.* BECAUSE *SCHNEIDEWEND ET AL.* FAILS TO DISCLOSE ALL OF THE RECITED FEATURES OF CLAIMS.**

To anticipate a patent claim, every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim. *Karsten Mfg. Corp. v. Cleveland Golf Co.*, 242 F.3d 1376, 1383, 58 USPQ2d 1286, 1291 (Fed. Cir. 2001); *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 1576, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991). Appellants respectfully submit that the Examiner's determination of anticipation is factually erroneous.

Independent claim 1 is directed to a method comprising, *inter alia*, “providing a **first set of announcements of electronic service guide data** describing a plurality of multimedia sessions **to be transmitted through a network, providing a second set of announcements of electronic service guide data** describing **at least one updated multimedia session that was updated into an earlier version of the first set of announcements** ... causing, at least in part, **transmission of said first and second set of announcements.**”

In rejecting claim 1 the Examiner cited various portions of *Schneidewend et al.* in support of the determination that *Schneidewend et al.* disclose the above-identified features of independent claim 1. Appellants respectfully disagree.

*Schneidewend et al.* generally provide a service management system for a multimedia video **decoder**. *Schneidewend et al.*, in pertinent part, disclose (emphasis added):

Col 1, Lines 40-51: A **video decoder** on-screen display interface system generates an abbreviated **menu list of favorite multimedia services** available from both local and remote sources to **enable navigation through user selected favorite services**. A database associates individual services and corresponding menu items in the favorite services menu with their respective sources and supports service selection, tuning and acquisition. Additional abbreviated lists of favorite multi-media services, comprising

sub-sets of parent service lists, are also hierarchically displayed in response to User command in order to facilitate and refine a search for a desired service.

Col. 2, Lines 28-41: Decoder 100 provides an interface **enabling a User to create, manage and maintain favorite service lists for facilitating User navigation through a complex array of multimedia services**. Specifically, the decoder 100 interface system **provides an abbreviated list of favorite multimedia services** available from both local and remote sources to enable a User to rapidly change decoder 100 function and acquire a new service. Additional abbreviated lists of favorite multimedia services comprising sub-sets of parent service lists are also hierarchically displayed in response to User command. A database associates individual services and corresponding menu items in the favorite services menu with their respective sources and supports service selection, tuning and acquisition.

Col. 2, Lines 42-48: FIG. 2 is a block diagram of a **digital video processing system employing a User interface including favorite service menus**, according to the principles of the invention. Although the disclosed system is described in the context of a **system for receiving terrestrial broadcast video signals** incorporating ancillary program specific and program guide information in MPEG compatible format, it is exemplary only.

*Schneidewend et al.*, explicitly state that **“A video decoder on-screen display interface system generates an abbreviated menu list of favorite multimedia services** available from both local and remote sources **to enable navigation through user selected favorite services”** (Col 1, Lines 40-44). *Schneidewend et al.* further disclose **“an interface enabling a User to create, manage and maintain favorite service lists for facilitating User navigation through a complex array of multimedia services”** (Col. 2, Lines 28-31, FIG. 1) (emphasis added). It is clear that *Schneidewend et al.* merely disclose a video decoder, on the user side (FIG. 1, FIG. 2), that enables users to manage lists of their own favorite multimedia services. That is, the system of *Schneidewend et al.*, at best, provides services only on a decoder (receiver) side, wherein the content of the menu lists is specifically associated with the user. Further, nowhere in the entire disclosure of the *Schneidewend et al.* reference is there any teaching that the menu displays (apparently the alleged second set of announcements of electronic service guide data describing

at least one updated multimedia session) constitute an announcement and describe at least one updated multimedia session, much less, any announcement or update. Thus, the system of *Schneidewend et al.* cannot reasonably be said to provide a first set of announcements of electronic service guide data ... **to be transmitted through a network**, providing a second set of announcements of electronic service guide data **describing at least one updated** multimedia session that was **updated** into an earlier version of the first set of announcements ... causing, at least in part, **transmission of said first and second set of announcements**, as recited in independent claim 1. Therefore, Appellants respectfully submit that the imposed rejection of claims 1, 2, 13, 18, 21, 76, and 77 under 35 U.S.C § 102(b) for lack of novelty as evidenced by *Schneidewend* is not factually viable.

**B. CLAIMS 7, 9, 10, 15, 22, 23, AND 25-29 ARE NOT RENDERED OBVIOUS BY *SCHNEIDEWEND ET AL.* AND *RIZZO ET AL.*, BECAUSE *SCHNEIDEWEND ET AL.* AND *RIZZO ET AL.* FAIL TO DISCLOSE OR RENDER OBVIOUS ALL OF THE RECITED FEATURES OF THESE CLAIMS.**

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Dependent claims 7, 9, 10, 15, 22, 23, and 25-29 depend from independent claim 1. The secondary reference to *Rizzo et al.* does not cure the deficiencies of *Schneidewend et al.* discussed above. Thus, whether taken alone or in combination, and Appellants certainly do not agree that the requisite fact-based motivation has been established for combining the applied references, *Schneidewend et al.* and *Rizzo et al.* fail to teach or render obvious all of the recited features of claims 7, 9, 10, 15, 22, 23, and 25-29. Therefore, claims 7, 9, 10, 15, 22, 23, and 25-29 also are patentable over *Schneidewend et al.*, for at least the reasons independent claim 1 is patentable, as well as for the additional features these claims recite.

Accordingly, Appellants respectfully submit that the imposed rejection of claims 7, 9, 10, 15, 22, 23, and 25-29 under 35 U.S.C. § 103(a) for being obvious predicated upon *Schneidewend et al.* and *Rizzo et al.*, is not factually or legally viable.

**C. CLAIM 17 IS NOT RENDERED OBVIOUS BY SCHNEIDEWEND ET AL. AND RIZZO ET AL. AND DOUGALL ET AL., BECAUSE SCHNEIDEWEND ET AL., RIZZO ET AL., AND DOUGALL ET AL. FAIL TO DISCLOSE OR RENDER OBVIOUS ALL OF THE RECITED FEATURES OF THIS CLAIM.**

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Dependent claim 17 depends from independent claim 1. The secondary reference to *Dougall et al.* does not cure the deficiencies of *Schneidewend et al.* and *Rizzo et al.* discussed above. Thus, whether taken alone or in combination, and Appellants certainly do not agree that the requisite fact-based motivation has been established for combining the applied references, *Schneidewend et al.*, *Rizzo et al.*, and *Dougall et al.* fail to teach or render obvious all of the recited features of claim 17. Therefore, claim 17 also is patentable over *Schneidewend et al.*, for at least the reasons independent claim 1 is patentable, as well as for the additional features this claim recites.

Accordingly, Appellants respectfully submit that the imposed rejection of claim 17 under 35 U.S.C. § 103(a) for obviousness predicated upon *Schneidewend et al.*, *Rizzo et al.*, and *Dougall et al.*, is not factually or legally viable.

**D. CLAIMS 31, AND 75 ARE NOT RENDERED OBVIOUS BY SCHNEIDEWEND ET AL. AND MUGURA, BECAUSE SCHNEIDEWEND ET AL. AND MUGURA FAIL TO DISCLOSE OR RENDER OBVIOUS ALL OF THE RECITED FEATURES OF THESE CLAIMS.**

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Dependent claims 31 and 75 depend from independent claim 1. The secondary reference to *Mugura* does not cure the deficiencies of *Schneidewend et al.* discussed above. Thus, whether

taken alone or in combination, and Appellants certainly do not agree that the requisite fact-based motivation has been established for combining the applied references, *Schneidewend et al.* and *Mugura* fail to teach or render obvious all of the recited features of claims 31 and 75. Therefore, claims 31 and 75 also are patentable over *Schneidewend et al.*, for at least the reasons independent claim 1 is patentable, as well as for the additional features these claims recite.

Accordingly, Appellants respectfully submit that the imposed rejection of claims 31 and 75 under 35 U.S.C. § 103(a) for being obvious predicated upon *Schneidewend et al.* and *Mugura*, is not factually or legally viable.

**E. CLAIMS 34, 60, AND 61 ARE NOT RENDERED OBVIOUS BY SCHNEIDEWEND ET AL. AND BELL ET AL., BECAUSE SCHNEIDEWEND ET AL. AND BELL ET AL. FAIL TO DISCLOSE OR RENDER OBVIOUS ALL OF THE RECITED FEATURES OF THESE CLAIMS.**

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Dependent claim 34 depends from independent claim 1, and dependent claims 60 and 61 depend from independent claim 58. Appellants note that independent claim 58 is rejected under 35 U.S.C. § 103(a) as obvious based on *Schneidewend et al.* in view of *Rizzo et al.* Appellants believe the Examiner incorrectly included the rejection of claims 60 and 61 under this rejection. Notwithstanding this deficiency, below Appellants traverse the rejection of claims 60 and 61 as best understood,

The secondary reference to *Bell et al.* does not cure the deficiencies of *Schneidewend et al.* and *Rizzo et al.* discussed above. Thus, whether taken alone or in combination, and Appellants certainly do not agree that the requisite fact-based motivation has been established for combining the applied references, the combination of *Schneidewend et al.* and *Bell et al.* fails to teach or render obvious all of the recited features of claim 34, and the combination of

*Schneidewend et al.*, *Rizzo et al.*, and *Bell et al.* fails to disclose or render obvious all of the recited features of claims 60 and 61. Therefore, claims 34, 60, and 61 also are patentable over *Schneidewend et al.* (and the combination of *Schneidewend et al.* and *Rizzo et al.*) for at least the reasons independent claims 1 and 58 (as discussed below) are patentable, as well as for the additional features these claims recite.

Accordingly, Appellants respectfully submit that the imposed rejection of claims 34, 60, and 61 under 35 U.S.C. § 103(a) for being obvious predicated upon *Schneidewend et al.* and *Bell et al.* (and *Rizzo et al.*), is not factually or legally viable.

**F. CLAIMS 43-45, 53-55, 58, 59, 78, AND 79 ARE NOT RENDERED OBVIOUS BY SCHNEIDEWEND ET AL. AND RIZZO ET AL., BECAUSE SCHNEIDEWEND ET AL. AND RIZZO ET AL. FAIL TO DISCLOSE OR RENDER OBVIOUS ALL OF THE RECITED FEATURES OF THESE CLAIMS.**

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Independent claim 43 is directed to a method comprising, *inter alia*, “causing, at least in part, **selective reception of a first set of announcements** of electronic service guide data describing a plurality of multimedia sessions **transmitted through a network**; selective reception of a second **set of announcements** ... describing at least one **updated multimedia session** that was updated into an earlier version of the first set of announcements and is described in the first set of announcement.” Independent claims 53, 55, 58, 78, and 79 recite similar features.

In the statement of the rejection, the Examiner cited various portions of *Schneidewend et al.* and *Rizzo et al.* in support of the conclusion that the combination of *Schneidewend et al.* and *Rizzo et al.* renders obvious all of the features of independent claims 43, 53, 55, 58, 78, and 79. Appellants respectfully disagree and submit that the Examiner’s determinations are factually inaccurate.

Specifically, *Schneidewend et al.*, in pertinent part, disclose (emphasis added):

Col 6, Lines 46-48: In step 510, controller 60 **selects a service** in the second service list by direct entry of the menu item number or by cursor navigation and item selection using remote unit...

Col 7, Lines 48-50: In step 605, a **location is selected in the displayed favorite service list** previously generated in step 603...

Col. 8, Lines 18-20: In step 627, a **location is selected in the displayed favorite service list** by direct entry of a menu item identification code 20 or by cursor navigation and item selection using remote unit70 ...

Appellants respectfully submit that the system of *Schneidewend et al.* cannot reasonably be said to provide **selective reception of a first set of announcements** of electronic service guide data describing a plurality of multimedia sessions ... selective reception of a second **set of announcements**, for at least similar reasons as set forth above with respect to independent claim 1. In addition, *Schneidewend et al.*, explicitly state that a “menu list of favorite multimedia services available from both local and remote sources to **enable navigation through user selected favorite services**” (Col 1, Lines 40-44). The concept of selection in *Schneidewend et al.*, as seen in FIG. 5, FIG. 7, and FIG. 8, at best, refers to a selection of a service by a user via a remote control of FIG. 6. However, nowhere in the entire disclosure of the *Schneidewend et al.* reference is there any teaching of a selective reception of either a first set of announcements or a second set of announcements. In addition, Rizzo et al. does not cure the deficiencies of *Schneidewend et al.*

Therefore, Appellants respectfully submit that the imposed rejection of claims 43-45, 53-55, 58, 59, 78, and 79 under 35 U.S.C § 103(a) for obviousness predicated upon *Schneidewend et al.* in view of *Rizzo et al.*, is not factually or legally viable.

**VIII. CONCLUSION AND PRAYER FOR RELIEF**

Based upon the foregoing, Appellants submit that the Examiner's rejections are not viable. Appellants therefore respectfully solicit the Honorable Board to reverse each of the Examiner's rejections.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

December 22, 2010

Date

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# **IX. CLAIMS APPENDIX**

1. A method comprising:

providing a first set of announcements of electronic service guide data describing a plurality of multimedia sessions to be transmitted through a network;

providing a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement; and

causing, at least in part, transmission of said first and second set of announcements.

2. A method according to claim 1, wherein transmitting said first and second sets of announcements comprises transmitting said first set of announcements through a first channel and transmitting said second set of announcements through a second, different channel.

3-4. (Canceled)

5. A method according to claim 1, wherein transmitting said first set of announcements and transmitting said second set of announcements comprises transmitting said first set of announcements through a first IP address and transmitting said second set of announcements through a second, different IP address respectively.

6. (Canceled)

7. A method according to claim 1, wherein transmitting said first set of announcements and transmitting said second set of announcements comprises transmitting said first set of announcements through a first port number and transmitting said second set of announcements through a second, different port number respectively.

8. (Canceled)

9. A method according to claim 1, wherein providing said first set of announcements and providing said second set of announcements comprises including in each announcement of said first set of announcements data for identifying said announcement as an announcement which describes one of said plurality of multimedia sessions and in each announcement of said second set of announcements data for identifying said announcement as an announcement which describes a one of said at least one updated multimedia session.

10. A method according to claim 1, wherein providing said first set of announcements and providing said second set of announcements comprises including in each announcement of said first set of announcements respective data for specifying a position of a corresponding multimedia session within a first portion of a multimedia session directory and including in each announcement of said second set of announcements respective data for specifying a position of a corresponding multimedia session within a second portion of the multimedia session directory.

11-12. (Canceled)

13. A method according to claim 1, wherein the first set of announcements of electronic service guide data describe an electronic program guide.

14. (Canceled)

15. A method according to claim 1, comprising arranging the providing of said second set of announcements after the providing of said first set of announcements.

16. (Canceled)

17. A method according to claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements according to a session announcement protocol, a unidirectional transport protocol, or a user datagram protocol.

18. A method according to claim 13, wherein the network is a digital video broadcasting network, an advanced television systems committee network, an integrated services digital broadcasting network, or an internet protocol based broadcasting network.

19-20. (Canceled)

21. A method according to claim 1, wherein said first set of announcements describe available electronic services including newspapers, radio, television and songs, videos, pictures, games, software, or a combination thereof.

22. A method according to claim 1, comprising including a description of a corresponding multimedia session in each announcement.

23. A method according to claim 1, comprising including a description of a corresponding multimedia session arranged according to session description protocol in each announcement.

24. (Canceled)

25. A method according claim 1, wherein transmitting said first set of announcements comprises transmitting said first set of announcements as a series of linked messages.

26. A method according to claim 1, wherein transmitting said first and second set of announcements comprises transmitting said first set of announcements in a first set of time slots and transmitting said second set of announcements in a second set of time slots, each timeslot of

said first set of timeslots being provided at a different time from each timeslot of said second set of timeslots.

27. A method according to claim 1, comprising multiplexing said first and second sets of announcements.

28. A method according to claim 1, further comprising providing a third set of announcements identifying said at least one updated multimedia session.

29. A method according to claim 1, wherein providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of announcements identifying the at least one updated multimedia session.

30. (Canceled)

31. A method according to claim 1, wherein providing the second set of announcements describing the at least one updated multimedia session comprises providing a set of pointers pointing to the at least one updated multimedia session.

32-33. (Canceled)

34. A method according to claim 1, comprising transmitting at least one of said sets of announcements according to an asynchronous layered coding protocol.

35-42. (Canceled)

43. A method comprising:

causing, at least in part, selective reception of a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network;

causing, at least in part, selective reception of a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement; and

accessing at least one of the plurality of received multimedia sessions.

44. A method according to claim 43, further comprising determining whether all of said first set of announcements have been received.

45. A method according to claim 44, further comprising selecting not to receive further said first set of announcements and selecting to receive said second set of announcements.

46-52. (Canceled)

53. A method comprising:

listening to a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network;

determining whether said first set of announcements have been received;

if said first set of announcements have been received, then

stopping listening to said first set of announcements,

listening to a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement, and accessing at least one of the plurality of listened multimedia sessions.

54. A method according to claim 53, further comprising: stopping listening to a third set of announcements describing a further plurality of multimedia sessions including said at least one updated multimedia session.

55. An apparatus comprising:

at least one processor; and

at least one memory including computer program code,

the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following,

provide a first set of announcements of electronic service guide data describing a plurality of multimedia sessions to be transmitted through a network;

provide a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement; and

transmit said first and second set of announcements.

56-57. (Canceled)

58. An apparatus comprising:

at least one processor; and

at least one memory including computer program code,  
the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following,  
selectively receive a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network;  
selectively receive a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement; and  
access at least one of the plurality of received multimedia sessions.

59. The apparatus according to claim 58, wherein the apparatus is further caused to determine whether said first set of announcements has been received; and if said first set of announcements has been received, to receive said second set of announcements.

60. The apparatus according to claim 59, wherein the apparatus is further caused to selectively receive a third set of announcements describing another plurality of multimedia sessions identifying said at least one updated session; and if said first set of announcements has been received, either not to receive or not to forward said third set of announcements.

61. The apparatus according to claim 60 which is a mobile communications device.

62-74. (Canceled)

75. A method according to claim 1, wherein the second set of announcements describing the at least one updated multimedia session are in the form of a set of pointers identifying the at least one updated multimedia session.

76. A method according to claim 2, wherein the second set of announcements and some of the first set of announcements are transmitted via the first channel and the second channel synchronously with overlaps

77. A method according to claim 2, wherein the second set of announcements and some of the first set of announcements are transmitted via the first channel and the second channel synchronously without overlaps.

78. A non-transitory computer-readable storage medium storing one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps:

- providing a first set of announcements of electronic service guide data describing a plurality of multimedia sessions to be transmitted through a network;
- providing a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier version of the first set of announcements and is described in the first set of announcement; and
- transmitting said first and second set of announcements.

79. A non-transitory computer-readable storage medium storing one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps:

- selectively receiving a first set of announcements of electronic service guide data describing a plurality of multimedia sessions transmitted through a network;
- selectively receiving a second set of announcements of electronic service guide data describing at least one updated multimedia session that was updated into an earlier

version of the first set of announcements and is described in the first set of announcement; and  
accessing at least one of the plurality of received multimedia sessions.

**X. EVIDENCE APPENDIX**

Appellants are unaware of any evidence that is required to be submitted in the present Evidence Appendix.

**XI. RELATED PROCEEDINGS APPENDIX**

Appellants are unaware of any related proceedings that are required to be submitted in the present Related Proceedings Appendix.